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Siskiyou; Jeremiah LaRue and Jesus  
Fernandez, in their official capacities  
as members of the Siskiyou County  
Sheriff's Department and in their individual  
capacities; Brandon Criss, Ed Valenzuela,  
Michael N. Kobseff, Nancy Ogren, and  
Ray A. Haupt, in their official capacities  
as members of the Siskiyou County Board  
of Supervisors and in their individual  
capacities; Edward Kiernan, in his official  
capacity as County Counsel for Siskiyou  
County and in his individual capacity;  
and DOES 1-100.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO DIVISION

Dilevon Lo, Jerry Vang, Nathan Thao, Mao  
Thao, Pao Lee, Antonio Lee, Koua Lee, Nhia  
Thai Vang, Zeng Lee, Der Lee and Khue Cha

Plaintiffs,

vs.

County of Siskiyou; Jeremiah LaRue and  
Jesus Fernandez, in their official capacities as  
members of the Siskiyou County Sheriff's  
Department and in their individual capacities;  
and Brandon Criss, Ed Valenzuela, Michael  
N. Kobseff, Nancy Ogren, and Ray A. Haupt,  
in their official capacities as members of the  
Siskiyou County Board of Supervisors and in  
their individual capacities; Edward Kiernan,  
in his official capacity as County Counsel for  
Siskiyou County and in his individual  
capacity; and DOES 1-100,

Defendants.

Case No.: 2:21-cv-00999-KJM-DMC

**DECLARATION OF SISKIYOU COUNTY  
SHERIFF JEREMIAH LARUE, ISO  
DEFENDANTS' OPPOSITION TO  
PLAINTIFFS' MOTION FOR A  
PRELIMINARY INJUNCTION**

Complaint Filed: June 4, 2021

First Amended Complaint Filed: July 15, 2021

Date: August 6, 2021

Time: 10:00 AM

**[FEES EXEMPT PURSUANT TO  
GOVERNMENT CODE SECTION 6103]**

1 I, Jeremiah LaRue, do declare as follows:

2 1. I am currently the appointed Siskiyou County Sheriff-Coroner. I have held that  
3 position since October 2020. Prior to being appointed as Sheriff, I first became employed by  
4 Siskiyou County as a Deputy Sheriff in 2006. Over the years, I was promoted to Sergeant and then  
5 Lieutenant before being appointed Sheriff. I have personal knowledge of the matters contained  
6 herein and, if called to do so, could and would testify to the facts set forth below.

7 2. In my capacity as a law enforcement officer charged with enforcing the laws of this  
8 state and county and specifically those related to the illegal cultivation of cannabis, I am intimately  
9 familiar with all of the areas of the county and those areas where crime is concentrated including  
10 the Mt. Shasta Vista subdivision. (Hereinafter "MSV".)

11 3. Over the years and starting a few years before 2015, marijuana cultivation began to  
12 steadily increase in the MSV subdivision. As a result, on April 7, 2015, the County passed an  
13 ordinance making it illegal to cultivate cannabis. As a result of the ordinance and due to increased  
14 enforcement, outdoor grows started to significantly decrease while greenhouses slowly became  
15 more prevalent, with them exploding between 2018-2021. The move from outdoor to indoor  
16 cultivation allowed cannabis growers to increase yields by a factor of two to three times on a per  
17 annum basis.

18 4. In approximately 2017-2018 the County issued an Urgency Resolution declaring a  
19 local state of emergency due to the proliferation of indoor grow sites.

20 5. In my capacity as a law enforcement officer, I engaged in eradication operations  
21 where huge quantities of cannabis plants were ceased. Through these operations I learned that the  
22 cannabis we were confiscating was intended for illegal black markets and was being illegally  
23 transported over state lines. Approximately 150 search warrants per year were issued to effect  
24 searches and seizures of illegal cannabis.

25 6. Since 2017, illegal cultivation cannabis has only increased in the MSV area. The  
26 number of greenhouses is far greater than most of the other areas located in the county. (**Exhibit A**  
27 illustrates the increases in greenhouses between 2017 and 2021 in MSV.)

28 7. Indoor marijuana cultivation requires an enormous amount of water. A vast majority

1 of the grow sites located in MSV are dependent on water trucks to provide the necessary water for  
2 illegal cannabis cultivation. Generally, the standard water tender style truck is between 2,500 and  
3 4,000 gallons. Prior to the enforcement of these water ordinances, there were around 100 trucks of  
4 that size making multiple trips per day from some of the large agricultural wells near to MSV. The  
5 water typically comes from ranchers who can charge large amounts from the cannabis growers for  
6 water and therefore many pump water on a continuous basis to supply the cultivators. As reported  
7 as early as last year, more than 30 wells in adjacent farmland ran dry due to excessive pumping of  
8 ground water by adjacent property owners.

9 8. In addition to its extraordinarily detrimental impact on the County's water supply,  
10 the cultivation of cannabis at the level known to occur in MSV requires the unregulated use of  
11 insecticides, pesticides, rodenticides, and fertilizers.

12 9. In my capacity as a law enforcement officer, I have observed the impact on the  
13 environment as a result of the activities of the illegal cannabis growers including but not limited to  
14 the discharge of raw sewage on the land, the discharge of chemicals on the land and into the water  
15 table and the effect of the unpermitted construction on the thousands of sites located in MSV.  
16 (**Exhibit B** contains photographs of the devastation to the environment caused by the illegal  
17 cultivation of cannabis in MSV.)

18 10. Several individuals have died due to carbon monoxide poisoning as a result of  
19 breathing carbon monoxide in illegally constructed dwellings and unpermitted greenhouses.

20 11. In my capacity as a law enforcement officer, I have personally observed an increase  
21 in crime including dangerous felonies in MSV in the last four years. While the occupants of MSV  
22 are distrustful of law enforcement and typically hesitant to report crimes, my office has received  
23 reports of armed robberies, assaults and murder where no such crimes were reported having  
24 occurred in MSV prior to the illegal cannabis cultivators moving in. (**Exhibit C** to this declaration  
25 is a chart setting forth the increase in arrests and citations, including felonies. Plant counts,  
26 processed marijuana and seizure of U.S. currency and firearms have also increased)

27 12. At approximately 1:15 PM on June 28, 2021, in conjunction with Bryan Schenone,  
28 the Director of the Office of Emergency Services (OES), we issued orders including an evacuation

1 warning and ultimately an actual evacuation of Lake Shastina and MSV. The response to the  
2 evacuation order by many of the individuals inhabiting MSV was extremely hostile. Emergency  
3 Response personnel, including firefighters, were intimidated with threats, thrown objects, and the  
4 brandishment of firearms. Additionally, residents of MSV utilized water trucks to block the  
5 roadways that emergency personnel, including firefighters, needed to use in order to access the  
6 active portions of the encroaching fire.

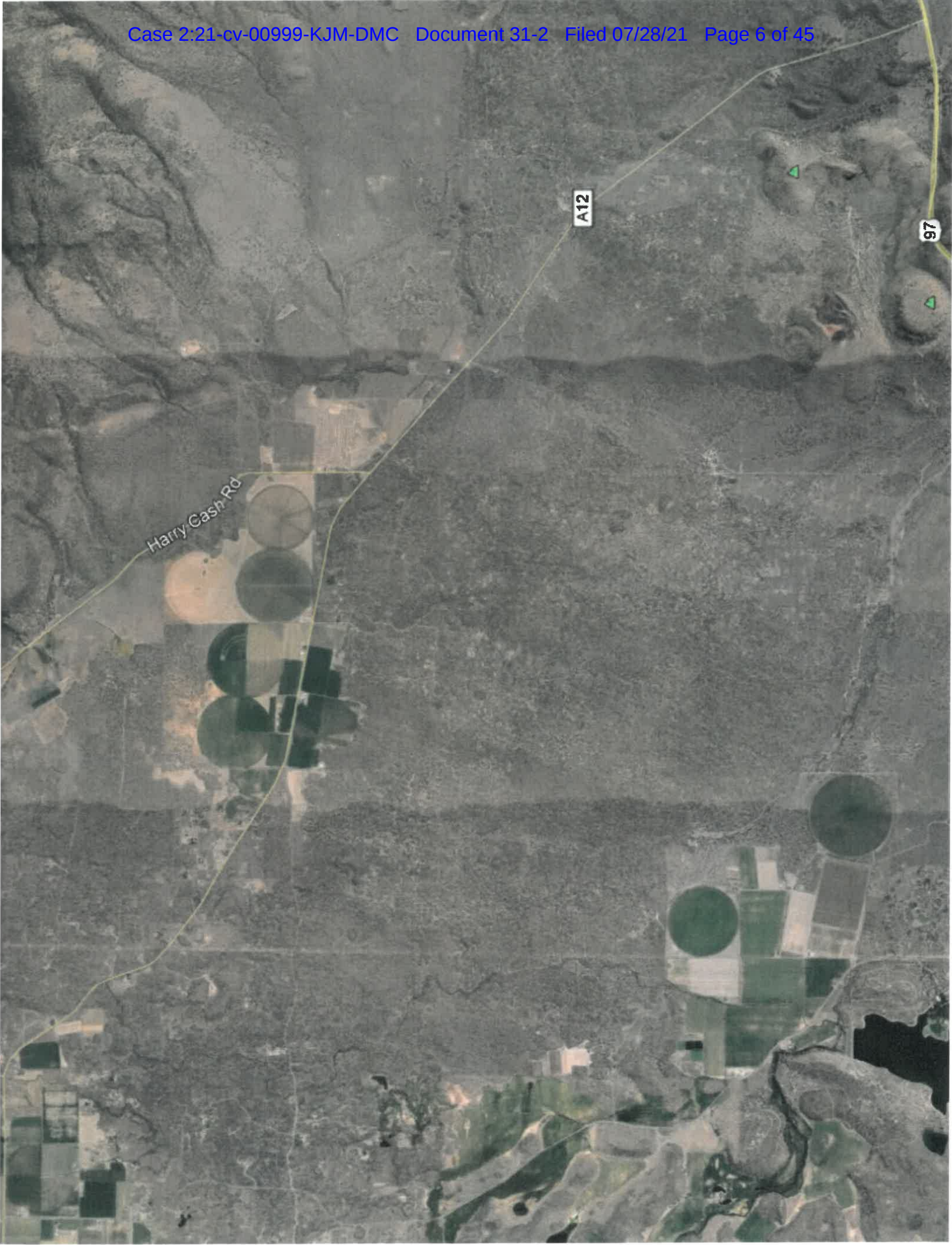
7 13. Just within the past week, a Hmong individual was pistol whipped and robbed inside  
8 MSV. Another Hmong individual was shot at by his Hmong neighbor during the night. Two  
9 vehicles were vandalized and destroyed at one of the entrances to MSV, the vehicles were then  
10 occupied and surrounded by “residents” of the vista and windows were smashed in.

11 14. On July 23<sup>rd</sup>, six Hmong individuals were tied up with zip ties inside a structure and  
12 robbed at gunpoint with firearms that were described as AK-47 style assault rifles and semi-  
13 automatic handguns by three individuals from outside of the MSV area.

14 I declare under penalty of perjury under the laws of the State of California that the foregoing  
15 is true and correct and that this was executed on this 28th day of July, 2021 in Siskiyou County,  
16 California.

17  
18 /s/ Jeremiah LaRue  
Jeremiah LaRue  
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EXHIBIT A





## EXHIBIT B













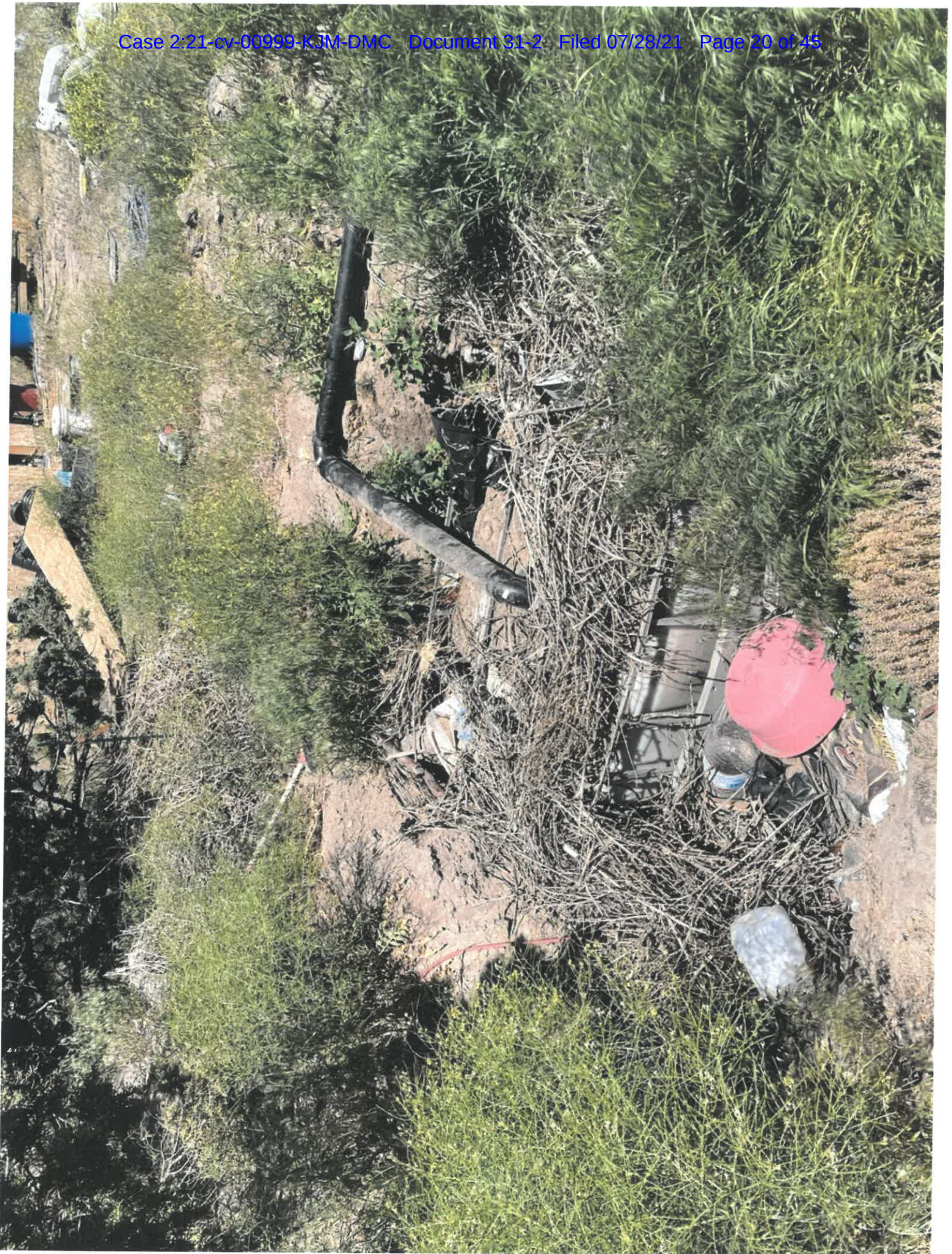




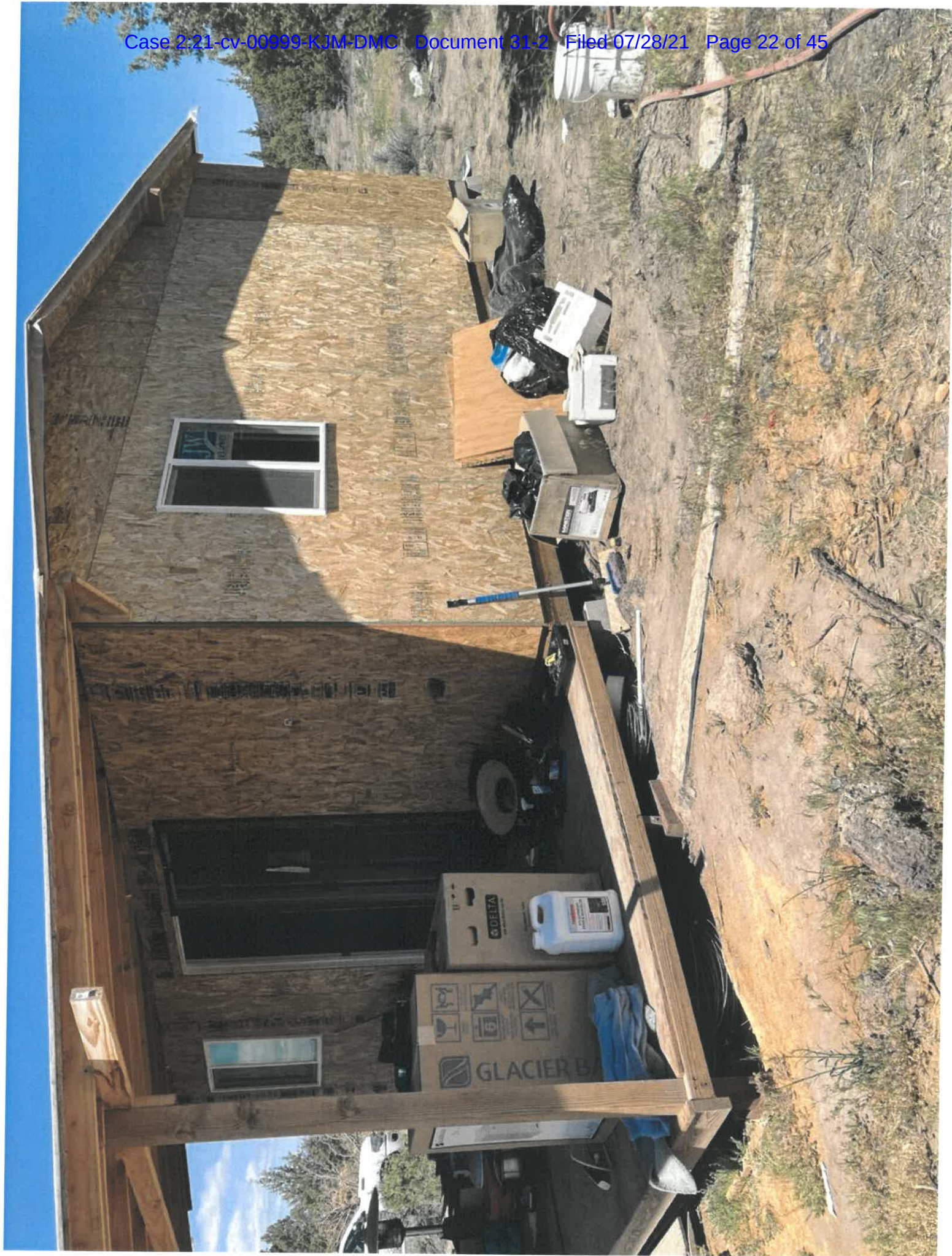








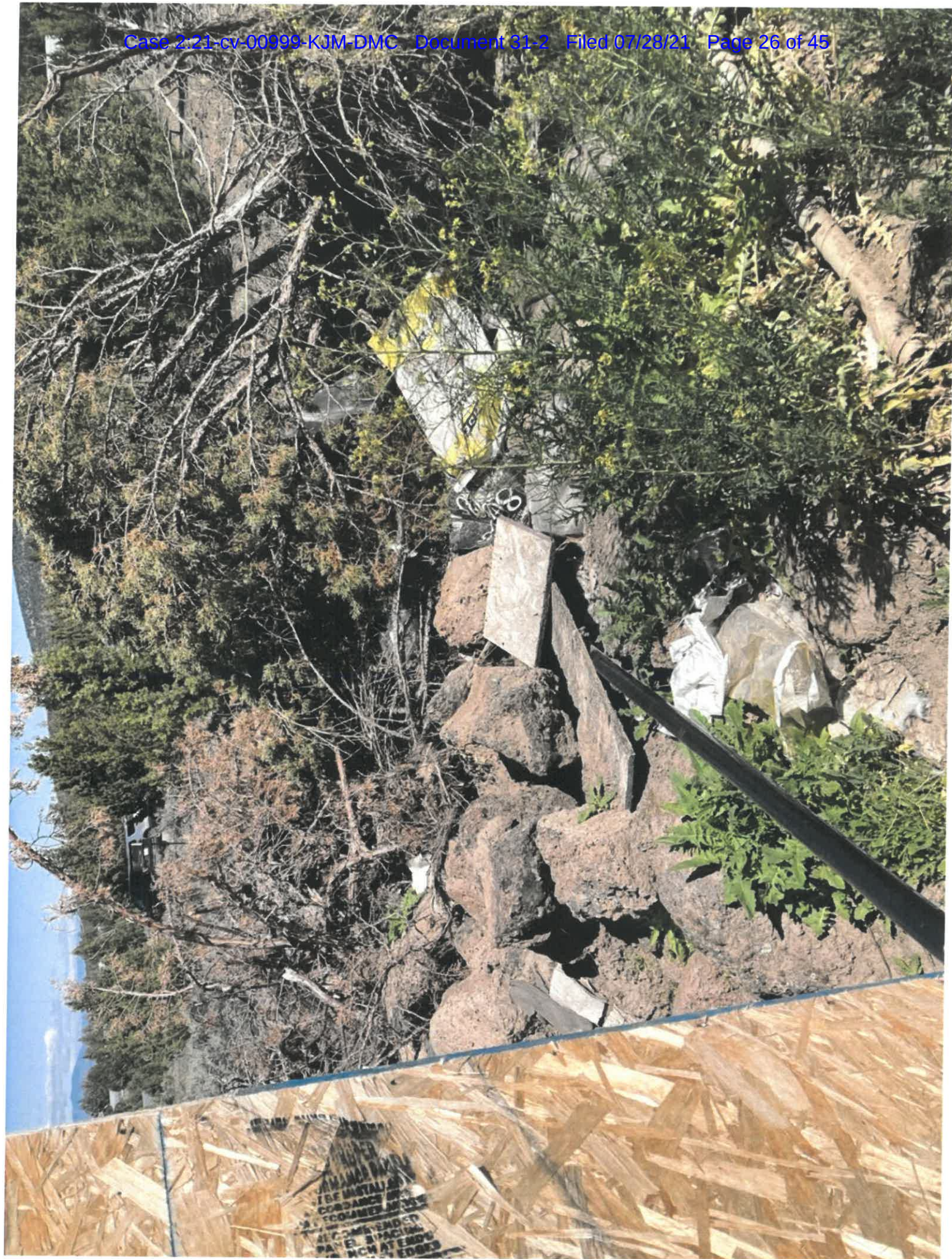




















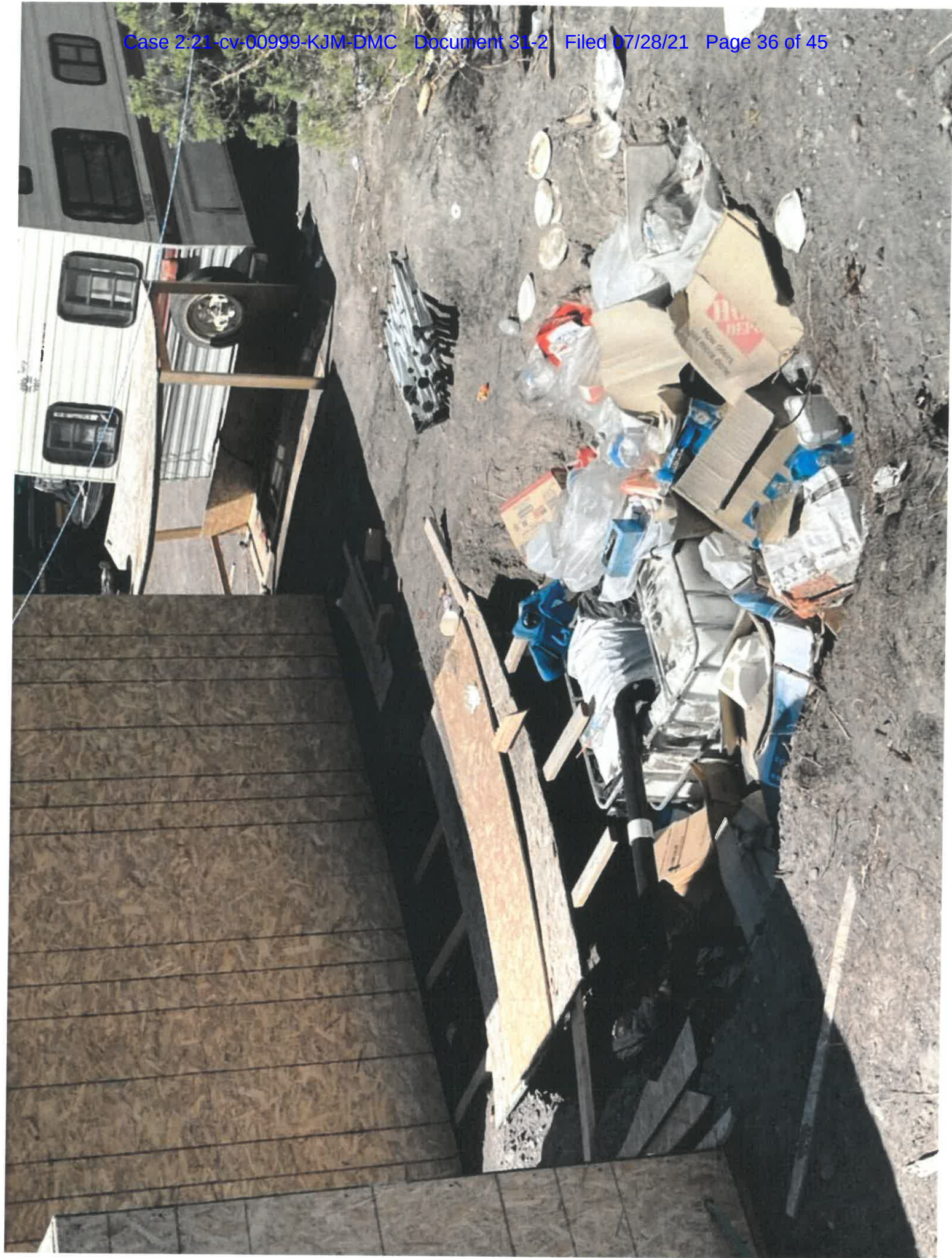


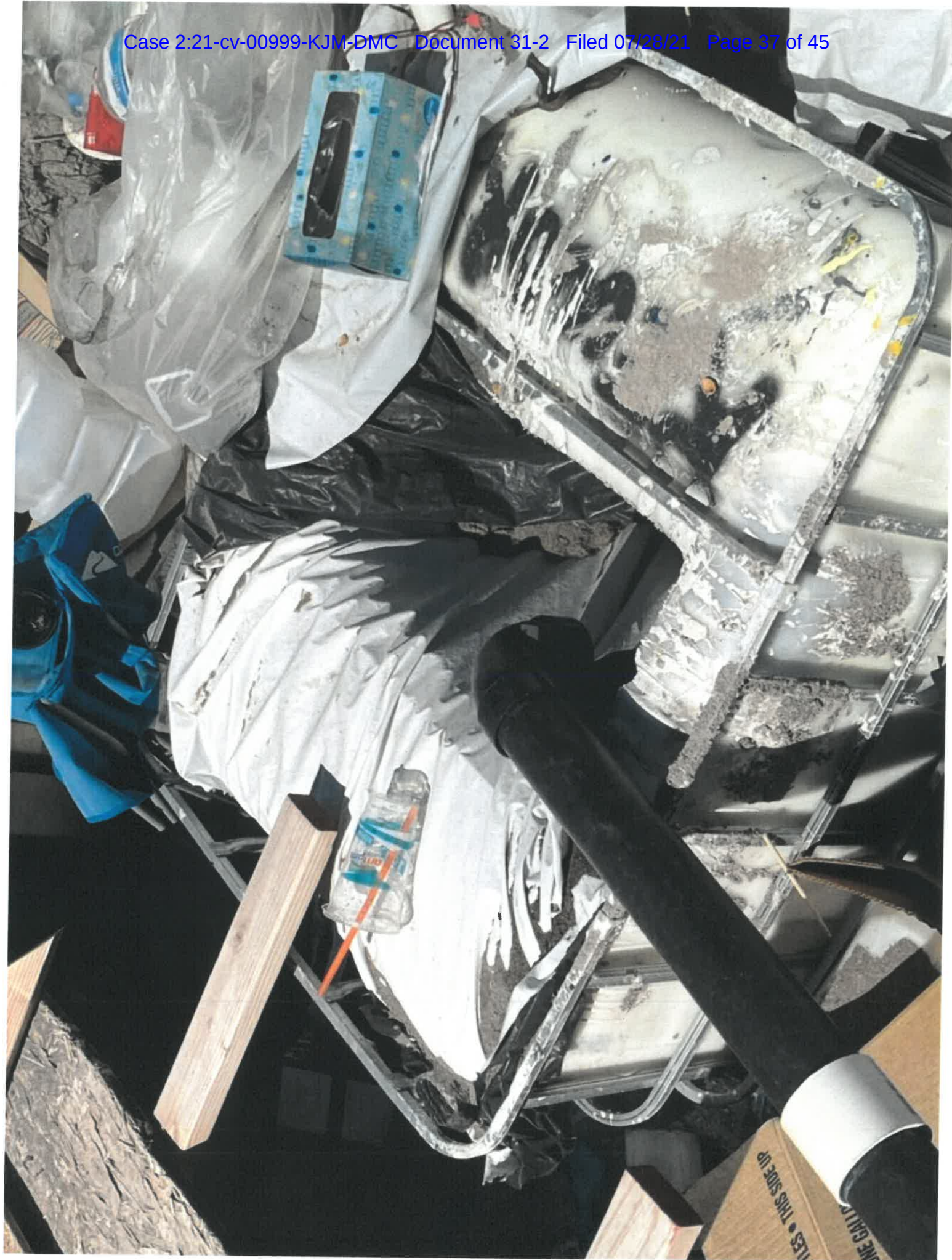




















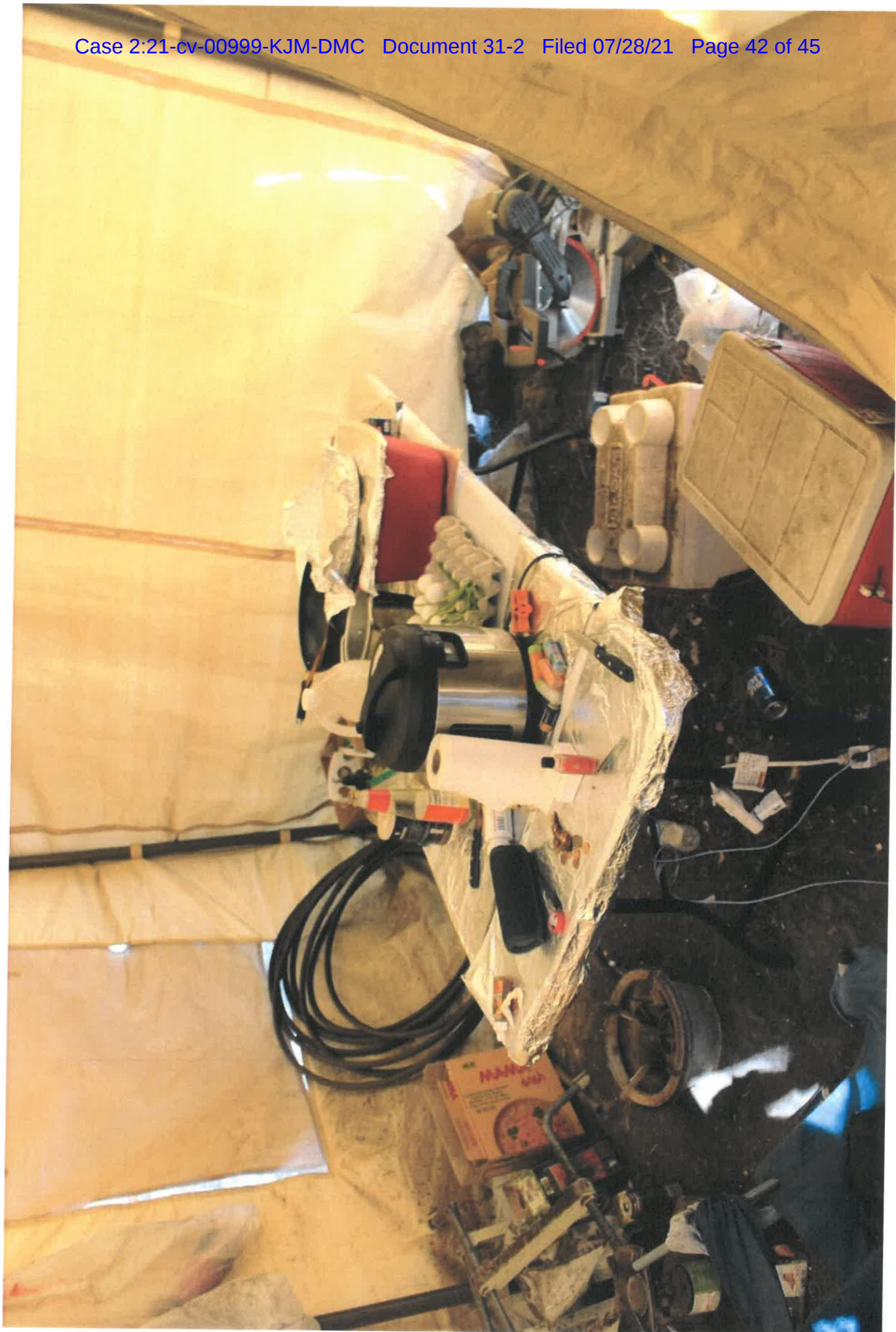




EXHIBIT C

Year	Plant Count	Processed MJ	U.S. Currency	Firearms	Arrests/Citations
2017-2018	42,852	14,455	\$ 25,264.00	4	28
2018-2019	45,505	22,846.25	\$ 44,456.00	15	23
2019-2020	44,369	16,759.50	Unknown	15	Unknown
2020-2021	113,986	11,051	\$ 286,343.00	25	80
2021 (to date)	441,990	28,111	\$ 711,545.00	43	123